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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN
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IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

Implications for the work of the Committee of the priority themes of the Commission on the Status of Women

Report of the Secretariat

1. In the context of the first review and appraisal of the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women, the Commission on the Status of Women, at its thirty-fourth session, in 1990, selected the priority themes to be considered during the period 1993-1996.

2. The reports prepared under the priority themes often include substantive material related to the Convention on the Elimination of All Forms of Discrimination against Women (General Assembly resolution 34/180, annex). The themes to be considered by the Commission on the Status of Women at its thirty-ninth session, in 1995, include:

(a) Equality: equality in economic decision-making;

(b) Development: promotion of literacy, education and training, including technological skills;

(c) Peace: women in international decision-making.

3. At its eleventh session, in 1992, the Committee on the Elimination of Discrimination against Women requested that the Secretariat submit, for its

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information, an analysis of the priority themes as they relate to the Committee's work.

I. EQUALITY: EQUALITY IN ECONOMIC DECISION-MAKING

4. In the annex to its resolution 1990/15, containing recommendations and conclusions arising from the first review and appraisal of the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women, the Economic and Social Council, in recommendation IV, suggested that "the United Nations should study the incidence of women in economic decision-making worldwide, analyse innovative national programmes to increase the proportion of women in economic decision-making positions and publicize the results, within existing resources".

5. In order to prepare the theme, an expert-group meeting on women and economic decision-making was organized by the Division for the Advancement of Women from 7 to 11 November 1994. The meeting pursued the goal of defining strategic actions to increase and improve the participation of women in economic decision-making bodies and processes. The report of the Secretary General to the Commission on the Status of Women concerning this theme is based on the expert-group meeting.

6. The expert-group meeting noted that across organizations, large or small, national or international, rural or urban, women are more and more entering the lower ranks of management but rarely advancing to the top. While they represent an estimated 40 per cent of the workforce, they constitute less than 20 per cent of those in the occupational category of administration and management and 6 per cent or less of those in senior management. Distribution in management positions is skewed as well: women are concentrated in staff and administrative rather than management positions. The meeting further noted that the rates of participation are growing slowly in government, national and transnational corporations, financial institutions, and international political and economic decision-making bodies but that the proportions are still very low.

7. It was also emphasized that policies and legislation create a work environment that does not adequately value or support women. Equal opportunity programmes and laws regarding equal pay for equal work have been put in place in many countries but often without strong oversight and enforcement. Wage gaps continue to be an issue, even at the highest corporate levels. Other issues concern progress in providing leave and day care and flexibility in reconciling work and family responsibility.

8. The priority theme analysis is most closely related to article 11 of the Convention on the Elimination of All Forms of Discrimination against Women to the extent that the existing situation implies discrimination in the field of employment. Article 11 provides for the right to the same employment opportunities, "including the application of the same criteria for selection in matters of employment".

9. The expert-group meeting noted that women are not involved in economic decision-making and that their views and needs are often overlooked in planning for development. As the majority of women do not participate in the formulation of development plans and programmes, they are frequently unaware of the implications of those plans and programmes and less inclined to support their implementation and the changes the programmes seek to bring about. A major objective is to ensure that women shall have, in law and in fact, equal rights and opportunities with men to participate in public and political life at the national, local and community levels.

10. The recognition of women's right to participate in decision-making is reaffirmed in article 7 (b) of the Convention, which commits the States parties to ensure to women the right to participate in the formulation of government policy and to hold public office and perform all public functions at all levels of government.

11. Article 14 of the Convention, which relates to women in rural areas, commits the States parties to ensure to rural women the right to have access to financial facilities and technologies and equal treatment in land reform. The provisions of article 14, which lay down future policy for Governments to follow in their development planning, include the right of women in rural areas to form cooperatives and to have access to agricultural credit and loans on the same terms as men.

12. The expert-group meeting recommended that Governments and international financial institutions should provide an environment conducive to encouraging women-owned enterprises by restructuring policies. By supporting institutions such as non-governmental organizations, cooperatives, credit unions and grass-roots organizations that have the capacities to reach women in both rural and urban areas, those institutions would open women's access to finance, markets and technology.

13. Article 16 (h) of the Convention refers to property acquisition and management for married women. The expert-group meeting stressed that all women need access to credit and savings services in order to become economically self-sufficient. In particular, credit and savings services are central to the ability of women entrepreneurs to increase their income and assets. Systems and institutions need to be reshaped if women are to obtain access to the lending services they need to service, build income and assets, and create enterprises that contribute to economic growth and social change. This is reaffirmed in article 13 of the Convention, which commits States parties to take appropriate measures to ensure, on a basis of equality of men and women, the right to bank loans, mortgages and other forms of financial credit.

II. DEVELOPMENT: PROMOTION OF LITERACY, EDUCATION AND TRAINING, INCLUDING TECHNOLOGICAL SKILLS

14. In its resolution 1990/15, containing recommendations and conclusions arising from the first review and appraisal of the implementation of the Forward-looking Strategies for the Advancement of Women, the Economic and Social Council, in recommendation X, stated that "Governments that have not already done so should reorient resources to ensure women's equal access to education and training at all levels and in all fields and, in collaboration with women's groups and non-governmental organizations, should make special efforts to remove all gender-related differences in adult literacy by the year 2000. Programmes should be established to ensure that parents and teachers provide equal educational opportunities for girls and boys. In particular, encouragement should be given to promoting the study by girls of scientific and technological subjects, particularly those corresponding to national development priorities, and to preparing girls for full participation in the economy and in public life. In order to be able to fulfil these commitments, appropriate measures should be taken at the national and international levels to ensure revitalization of growth on a long-term basis."

15. The Commission on the Status of Women decided to address this issue as a priority theme at its thirty-ninth session in 1995. In order to explore the issue, an expert-group meeting was organized by the Division for the Advancement of Women from 10 to 14 October 1994, Turin, Italy. The purpose of the meeting was to pursue the goal of defining strategies to improve educational and training opportunities for girls and women. It considered the rationale for girls' education, strategic resource allocation and the quality of girls' education and training. The meeting made recommendations in the field of educational policy, access to equality in education, and the learning environment and defined specific strategies to address the educational needs of girls and women in particularly difficult circumstances. The result of the meeting is part of the report of the Secretary-General to be submitted to the Commission on the Status of Women at its thirty-ninth session.

16. The expert-group meeting proposed actions for the education and training of girls and women to be considered in international forums. It emphasized access to quality education for girls and women as a basic and fundamental human right. It stated that women's education yields numerous benefits, including increased economic productivity, lower birth rates, decreased maternal and infant mortality, improved family health care, and delayed earlier marriage. Education, it was emphasized, has an impact on other social sectors.

17. In the field of educational policies, the expert-group meeting recommended that access by girls and women to education and training should be improved and its quality and relevance enhanced. It identified the need for legislation, administrative action and resources and asked that education and training be linked to the labour market. In order to improve the learning environment, the meeting suggested that the physical environment be improved and that gender stereotyping and biases be removed from teacher training and learning materials. Adult and lifelong education, in particular adult literacy programmes for women, were considered important means to enable women to become equal partners with

men in the family. In this respect, it was suggested that legal literacy programmes should be provided for both men and women. With regard to the quality of education, the recommendations stressed the importance of the education of girls and women in science and technology. Female participation in technical and vocational education and training was considered a means to increase women's access to technical knowledge and to diverse employment opportunities in the productive sector.

18. Recommendations for the education of women in particularly difficult circumstances were premised on the fact that education is affected by gender differentials in social class position, urban/rural residence, ethnic affiliation, racial distinctions and displacements. To meet the educational and training needs of extremely vulnerable groups of women and children, such as refugees, it was recommended that special educational and training facilities should be provided.

19. The expert-group meeting stressed the responsibility of national Governments to provide education and training as a basic human right. Girls and women should be encouraged to make use of available education provisions and be empowered to assume responsibility for their welfare in general and for their education and training in particular.

20. This is consistent with article 10 of the Convention on the Elimination of All Forms of Discrimination against Women, which commits States parties to take all appropriate measures to eliminate discrimination against women in order to ensure equality between women and men in education. The right to equality of treatment in education is perhaps the most important of all the cultural rights afforded to women because, without it, women are unable to make use of their right to work in public life or in the home. Yet education is one sphere in which women can face deep-rooted discrimination. The Convention calls for the same standards in all aspects of educational facilities. It also obliges States parties not only to ensure equality of access to the same type of education but also, in article 5, to undertake to implement policies which will eventually lead to changes in social-cultural patterns of conduct of men and women in order to eliminate prejudices and practices based on notions of superiority and inferiority of either of the sexes or on role stereotyping. Article 5 seems to be creating a wider obligation on States parties than merely ensuring to women the rights contained in the Convention.

21. The main purpose of article 10 of the Convention is to lay down the basic guidelines to eliminate discrimination against women in education. Its aim is for States parties to assure not only de jure but also de facto equality between men and women in all types and levels of education.

22. The achievement of substantial equality between sexes, aimed at in article 10 of the Convention, is reaffirmed by general recommendation No. 5 (seventh session, 1988) of the Committee, which noted that discriminatory laws have been modified, achieving significant progress in ensuring formal de jure equality, and urged States parties to promote de facto equality. It clearly states that measures to promote women's rights to education require specific actions in implementing the Convention. The Committee therefore encouraged

States parties "to make more use of special measures such as positive action, preferential treatment or quota systems to advance women's integration into education ...".

23. The Committee has also reiterated on several occasions (general recommendations No. 5 and No. 6, seventh session, 1988, and No. 18, tenth session, 1991) that States parties should not limit themselves to ensuring equal opportunities under the law, thus only eradicating de jure discrimination. They are required to commit themselves to promoting effectively women's participation in all fields connected with human advancement, including full participation in cultural life.

III. PEACE: WOMEN IN INTERNATIONAL DECISION-MAKING

24. The first review and appraisal of the Nairobi Forward-looking Strategies, in 1990, emphasized the importance of women in international decision-making. In recommendation XX, arising from the first review and contained in the annex to its resolution 1990/15, the Economic and Social Council stated that "Governments should be encouraged to increase the participation of women in the peace process at the decision-making level, including them as part of delegations to negotiate international agreements relating to peace and disarmament and establishing a target for the number of women participating in such delegations".

25. The Economic and Social Council also recommended that Governments, political parties, trade unions, and professional and other representative groups should each aim to increase the proportion of women in leadership positions to at least 30 per cent by 1995, with a view to achieving equal representation between women and men by the year 2000, and should institute recruitment and training programmes to prepare women for those positions. This theme was to be discussed in detail during the expert-group meeting to be organized by the Division for the Advancement of Women on "gender and the Agenda for Peace" from 5 to 9 December 1994.

26. Peace includes not only the absence of war, violence and hostilities at the national and international levels but also the enjoyment of economic and social justice, equality and the entire range of human rights and fundamental freedoms within society, as was proclaimed by the Nairobi Forward-looking Strategies in 1985. Even more important, the strategies were instrumental in increasing a consensus: violence on the personal and international levels are inextricably linked. The question of women and peace cannot be separated from the broader question of relationships between women and men in all spheres of life and in the family.

27. Obstacles and barriers to women's participation in the peace process at the decision-making level have been discussed by United Nations organs, in particular the Commission on the Status of Women, and measures for improvement have been suggested. An important conclusion derived from these meetings was that, if women unite in solidarity and achieve a "critical mass" of at least 30 per cent in decision-making bodies, they can make a significant impact on the

content of decisions, public agenda and political priorities and can make the political process more open and participatory.

28. Peace is promoted by equality of the sexes, economic equality and the universal enjoyment of basic human rights and fundamental freedoms. Its enjoyment by all requires that women be enabled to exercise their right to participate on an equal footing with men in all spheres of the political, economic and social life of their respective countries, particularly in the decision-making process, while exercising their right to freedom of opinion, expression, information and association in the promotion of international peace and cooperation.

29. The expert-group meeting focused on the Agenda for Peace as a basic outline for present and potential activities of Governments, citizens and the United Nations system aimed at preventive diplomacy, peacemaking, peace-keeping and peace-building. It also examined women's current role in the implementation of the Agenda for Peace, identified obstacles to overcoming women's underrepresentation, especially at decision-making levels, and suggested means to redress the situation. The meeting also examined ways in which women currently participate in the implementation of the goals of the Agenda for Peace, acting within the framework of the United Nations peace and security operations, as well as other activities. It analysed the available data and information on the participation of women in the work of international organizations of the United Nations system in these areas, in particular at the decision-making level, in peace-keeping operations, preventive diplomacy and peace-building, including national reconciliation efforts and humanitarian relief operations.

30. With regard to the consequences of women's absence for the international community, including the omission of women's specific concerns related to peace and security matters, the meeting focused on the conduct and outcome of several operations which have already been concluded, such as those in Namibia, Cambodia, South Africa and El Salvador, as well as humanitarian operations, and analysed the difference made by more balanced gender representation in the outcome of those missions. The meeting made several recommendations and reached several conclusions.

31. Research in 45 countries shows that in only 13 countries do women make up more than 10 per cent of the members of military services. In most countries, women perform functions different from those that men perform in the military. Even in countries where women can serve as regular members of a State military, there is usually a restriction on combat. Government bodies dealing with defence and international relations have virtually no women representatives (only Finland and Canada had women at the ministerial level in defence), despite recognition of the necessity to increase their participation. In the developed world, fewer than one third of all countries have adopted measures to redress this problem.

32. With regard to temporary measures aimed at the increased participation of women in peace-related areas, including decision-making, little progress can be noted. Although article 4 of the Convention on the Elimination of All Forms of

Discrimination against Women provides for temporary special measures aimed at accelerating de facto equality, and its provisions could be used in connection with articles 7 and 8, which state that "all appropriate measures" should be taken to eliminate discrimination related to the political participation of women at national and international levels, the introduction of quotas and targets is considered a controversial measure. Although some countries established special measures and programmes to increase qualitative and quantitative participation of women in peace decision-making and managerial posts, others considered such measures non-democratic. The most prominent example of affirmative action is provided by Nordic countries, where all boards and public committees have a gender quota, ensuring the minimum participation of each gender.